

SERC Meeting
February 2, 2002
10:00 a.m.

Roy McCallister began the meeting at 10:00 a.m., at the State Police Academy, a quorum was present, for those in attendance see attached roster. Mr. Kappa is at the Civic Center for a meeting hosted by Governor Wise and Senator Rockefeller. The minutes of November 26, 2001 were reviewed. Lt. McCallister asked for corrections, deletions or additions. *Jim Riggs made a motion to accept the minutes, Rudy Raynes seconded. Motion passed.*

Old Business:

DOJ Grants -Mr. Snodgrass said he has requested updated information from identified hazmat teams and he is trying to identify additional teams who may not have reported their information to WVOES during the initial survey in 2000. Mr. Snodgrass reported identified hazmat teams throughout the state will be the first recipients of the DOJ grant. The ideal situation would be one permanent hazmat team per region, but that would require a building, equipment and full-time paid personnel, which unfortunately is not possible with the available funds. Rick said he hopes to begin purchasing equipment within the next 60-90 days. State agencies and hazmat teams have listed their priorities, it is now a question of obtaining funds, purchasing equipment while utilizing the limited funds available. Lt. McCallister asked Mr. Snodgrass the amount of funds available. Rick reported DOJ has appropriated 1.85 million dollars for West Virginia which will be divided between state agencies and hazmat teams in the state. Matt Musgrave expressed concern regarding the amount of funds and their expenditures. He felt teams within the regions will vie with one another to obtain the most funding, creating a very unpleasant atmosphere. Mr. Musgrave felt a letter from Mr. Kappa as Chairperson and WVOES Director providing directives on how and why the funds will be expended may help thwart future problems. *Richard Jarvis made a motion asking Mr. Kappa to send a letter to all regions explaining how DOJ funds will be distributed. Rudy Raynes second, Motion passed.* Shirley Lawson (Cabell County) asked who the letters will be sent to? Lt. McCallister indicated the region chairs will receive letters advising them of the grant amounts and the direction the WV SERC is taking regarding hazmat equipment purchases. Mr. Snodgrass feels it will be more advantageous to purchase the equipment in bulk, bidding out to several vendors awarding the contract to one vendor who will handle everything and be a point of contact for the state and teams. Discussion continued on tracking equipment, type of equipment to be purchased, i.e. disposable, big ticket items etc. Lt. McCallister asked if Mr. Snodgrass had considered an open end contract, one where purchases could be continually made once the contract is awarded. This would enable the state and teams to replenish supplies/equipment without continually bidding the items out. Steve Allen was concerned about who would keep track of the equipment and

physical possession of it? He is concerned because the LEPC generally meets monthly or bi-monthly, is not very active and does not have the organization set up to track these types of items, hazmat teams do it on a daily basis. Mr. Snodgrass said he believes whoever is going to use the equipment should take possession and responsibility for it, however no decision has been made yet. There was discussion on repair and replacement of equipment. Rick was unsure if the county or state will be responsible. Mr. Musgrave said these purchases are one time purchases and if you are the keeper of the equipment you are responsible for repairing and replacing the equipment. Mr. Jarvis asked if funds will be available for re-calibration? Rick said no however, he is trying to include calibration within the bid package for ongoing maintenance if possible. *Dan McKinney made a motion the SERC convene a committee to address and recommend to the group DOJ equipment issues. Matt Musgrave seconded. Motion passed.* Roy McCallister requested volunteers: Rick Snodgrass, Tom Fisher, Dan McKinney, Rudy Raynes, Matt Musgrave and Shirley Lawson volunteered and agreed to serve on the committee. Mr. Snodgrass suggested the committee convened once he is ready to order the equipment so guidelines and deadlines can be determined before purchase and distribution. Mr. Allen asked if regions have been given the list from which they can select equipment? Mr. Snodgrass said he will need to coordinate with the DOJ program manager because of conflicting information he has received. Mr. Allen asked if Rick would disseminate the information to region chairs.

Rick Snodgrass reported the WV SERC sent 18 people to the US EPA conference in Baltimore, MD in December. Rick stated he enjoyed the conference and many of the classes were standing room only; travel expenses to date are \$16,652. Rick said US EPA has decided to hold the conference in Baltimore again in 2002 and he was able to make numerous contacts with vendors for our upcoming conference.

HMEP Grants -Laverne reported the SERC expended \$75,692 for HMEP planning grants in 2001. Leaving a balance of \$10,000 which will be used for part of Cherie Collins salary and travel for Rick Snodgrass and Dave Wheatcraft. There was discussion on expenditures and who received additional funding. One county was unable to complete their project due to flooding so their allocation was distributed to other LEPCs. Kanawha/Putnam said they were allocated an additional \$5000 in funds, voted on at the SERC meeting in Martinsburg. Laverne will review the minutes from Martinsburg to determine if a letter should go out to KPEPC on additional funding.

SERC Grants - Nothing to report

Plan Reviews - Paul Howard reported plan reviews have followed the same process by-law reviews have followed in the past. The required 9 criteria are found in the front part of NRT1 and are basically straight out of the Act. NRT1

and 1A have been reviewed and instead of 9 criteria which are somewhat subject there are actually 150. Paul feels of those 150 criteria, 13 are must, the remaining 137 are broken into a categories of should and if possible. Paul recommends a grandfather clause on all prior plans so those plans can be reviewed and recommendations made to the LEPCs to upgrade their plan where appropriate. JR Bias (Kanawha/Putnam EPC) is concerned the SERC is dictating what a county/LEPC may have in their plans. Mr. Howard said the idea is not to mandate requirements but to assist counties/LEPCs to upgrade their plans to better serve their communities. Roy McCallister said Paul had distributed a tremendous amount of information and recommends the Board take the information review it and make suggestions or comments to be presented to the Board at the next meeting. Those members not in attendance will receive the packet of information and Lt. McCallister asks that all comments be sent into Mr. Howard by March 18, 2002.

LEPC Membership Approvals - Steve Allen (Berkeley County) asked by whose authority appoints and approves LEPC members. Technically the county commission appoints the first LEPC and the SERC approves. There was also discussion on how many members or categories should there be on the LEPC. Mr. Allen suggested there are supposed to be only 7 and the county commission should determine who is on the LEPC. Laverne Stout replied the county commission initially appointed members but once a committee becomes active and produces by-laws those by-laws will address membership and length of service for committee officers. There was continued discussion of who, what, why the law reads as it does, why by-laws determine membership and how many categories should be represented on the committee. It was also brought to the Board attention that a representative from the Local elected official category may not have been represented correctly. It was noted that many rural LEPCs or LEPCs which do not have representatives from a category (hospital or media) have been allowed to submit one person for both positions if they are qualified. This situation is looked at on a case by case basis. If the LEPC has the capability to procure an individual for each position it has remained a requirement by the SERC.

Rudy Raynes moved to approve Gilmer, Monongalia, Nicholas, Randolph and Webster county LEPC membership lists. Jim Riggs seconded. Motion passed.

By-Laws - Roane, Fayette and Preston LEPCs have submitted by-laws for review. Roane and Fayette are on their second review and Preston is a first review. There was discussion on by-law guidelines and if the SERC had approved guidelines for counties to follow. *Jim Riggs moved to approve Roane and Fayette, Richard Jarvis seconded. Motion passed.* Preston will have their

second review at the next meeting. Denny McGann felt it is necessary for the Board to distribute guidelines to LEPCs before they produce their by-laws so the same criteria may be utilized by all LEPCs. There was discussion on requirements of by-laws, number of times an LEPC must meet for eligibility of grants, federal regulations and if by-laws are approved or accepted. JR Bias is concerned the Board is regulating the LEPCs. Matt Musgrave said the guidelines are just a set a standards, if something is submitted for approval then there must be a set of standards the submission is judged against. Lt. McCallister asked the members to think about the by-law question and discuss it at greater length during the next meeting.

Training Subcommittee - Jim Cox reported on 2001 HMEP training, he expended approximately \$75,000-76,000 an increase of \$55,000 over 2000. Mr. Cox reported he has been informed rules are being promulgated requiring fire service personnel to attain the second level of training - concept implementation/operations. Jim suggested a letter be sent to each Fire Department informing them of the upcoming requirements and notifying them of additional training opportunities. He also mentioned FEMA is going through a restructuring, EMI and the National Fire Academy will be merging. Mr. Allen asked Rudy Raynes if he was aware of the information and if it was appropriate for it to come from OES instead of the State Fire Marshal. Mr. Raynes is aware of the possibility of increased requirements but will investigate further and report back to the Board. Jim indicated he only wanted to inform departments about upcoming training opportunities and let them know OES could assist with funding for the additional training requirements. There was discussion on training, concept implementation, basic concepts, the number of training classes offered and RESA. Shirley Lawson (Cabell County) said her 911 operators are trained on WMD, the class has been run at least 4 times to ensure her operators are trained appropriately.

Other New Business - Mr. Allen asked if the SERC or OES could assist the county/LEPC with direct billing. He has individuals who attend class, the funds come out of the counties budget and the bill is then submitted to OES/SERC for reimbursement. At times it has taken months to recoup his funds which creates a problem if additional training is needed. Laverne said Mr. Lee Gray would be consulted, she is unsure if direct billing is permitted, rules for direct billing and requirements. Laverne will request Mr. Gray report to the SERC on direct billing.

There was discussion on ORIS - Operations Response Emergency Information System. It is a program developed by NTSB to assist emergency response personnel with train incidents and emergency response. There was discussion on CAMEO and its usefulness as well.

Richard Jarvis moved to adjourn, Rudy Raynes seconded, Motion passed.
Meeting ended at 11:55. Next scheduled meeting will be April 1, 2002 at the WV
EOC, Charleston, WV.